

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JERMAINE BUTLER,
Plaintiff,

v.

BTC FOODS INC.,
d/b/a Betty the Caterer,
Defendant.

FILED

OCT 19 2012

MICHAEL E. KUNZ, Clerk
By _____ Dep. Clerk

CIVIL ACTION

No. 12-492

ORDER

AND NOW, this 19th day of October 2012, upon consideration of Defendant's Motion to Dismiss (Doc. No. 5), and Plaintiff's response in opposition thereto, and for the reasons stated in the Opinion filed this day, it is hereby **ORDERED** that the Motion is **GRANTED** and the Complaint is **DISMISSED without prejudice**. Plaintiff may file an amended complaint on or before November 9, 2012.

The Clerk of Court is directed to **CLOSE** this case.

It is so **ORDERED**.

BY THE COURT:


CYNTHIA M. RUFÉ, J.